

FORTY-SECOND DAY.

Senate Chamber,
Austin, Tex., Tuesday, March 19, 1901.

Senate met pursuant to adjournment.
President Pro Tem. Miller in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Present—26.

Beaty.	Neal.
Davidson of	Odell.
DeWitt.	Patterson.
Davidson of	Paulus.
Galveston.	Savage.
Dibrell.	Sebastian.
Goss.	Stafford.
Grinnan.	Staples.
James.	Turner.
Johnson.	Turney.
Lipscomb.	Wayland.
Lloyd.	Wheeler.
McGee.	Wilson.
Miller.	Yett.

Absent—5.

Hanger.	Potter.
Harris of Bexar.	Swann.
Harris of Hunt.	

Prayer by the Chaplain, Rev. I. S. Davenport.

Pending the reading of the Journal of last Friday,

On motion of Senator Wayland, the same was dispensed with.

COMMITTEE REPORTS.

The following committee reports were made to the Senate:

Committee Room,
Austin, Texas, March 14, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 240, being a bill to be entitled "An Act to create a more efficient road system for Fayette and Frio counties, Texas, and making the county commissioners of said counties ex-officio road commissioners, and prescribing their duties as such, and providing for their compensation as such road commissioners; and providing for working of county convicts upon the public roads of said counties, and providing for a reward to be offered for the recapture of an escaped county convict, and taxing said reward and all actual costs of capture and delivery of said convict against said convict, and providing for a penalty for the escape of a county convict; and

providing the amount of compensation to be allowed to road hands for teams, plows, scrapers and wagons; and providing for the condemnation of land for public road purposes; providing for the working of delinquent poll tax payers residing in cities and towns as well as in the country on the roads, and relieving them from the performance of said work by the payment of the sum of three dollars; providing for the ages of male persons liable to serve as overseers and to work on the public roads of the county; providing for a special road and bridge tax to be levied for Fayette and Frio counties; and providing further, making this law cumulative of the General Laws, and in case of a conflict this act to govern as to Fayette and Frio counties, Texas; and to repeal special road law, Chapter 54, Acts 1891, Twenty-second Legislature as to Fayette county,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

MILLER, Chairman.

Committee Room,
Austin, Texas, March 14, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 244, being a bill to be entitled "An Act to create a more efficient road system for Leon county, Texas; and making county commissioners of said county ex-officio road commissioners, and prescribing their duties as such; and providing for their compensation as road commissioners, and defining the powers and duties of such county commissioners; and providing for the appointment of road overseers, and defining their duties; and for the working of county convicts upon the public roads of said county; and providing for officers' fees and rewards and penalties for said convicts, and rewards for the capture of escaped convicts; and to provide for the manner of training and maintaining hedges along the public roads; and to provide for the summoning of teams for road work, and for allowance of time for road service for the same; and fixing a penalty for the violation of this act; and to repeal all laws in conflict herewith,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

MILLER, Chairman.

Committee Room,
Austin, Texas, March 14, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 24, being a bill to be entitled "An Act to amend an act passed by the Twenty-sixth Legislature in the year A. D. 1899, entitled 'An Act to amend Chapter 134, Sections Nos. 1, 7 and 15, of the General Laws of the Twenty-fourth Legislature, of an act to create a more efficient road system for Hill, Coke, Hunt, Jackson, Bee and Victoria counties, Texas; and making the county commissioners of said counties ex-officio road commissioners, and prescribing their duties as such; providing for their compensation as road commissioners; providing for the appointment of deputy road commissioners, and defining the powers and duties of said commissioners; and providing for the appointment of road overseers, and defining their duties; and for the working of county convicts upon the public roads of said counties; and providing for officers' fees and rewards for the capture of escaped convicts; and providing for the manner of trimming of hedges along any public road; and providing for the summoning of teams for road work, and for an allowance of time of road service for same; and fixing a penalty for the violation of this act,' so as to exempt Coke county from the provisions of said act, and place it under the general provisions of the Constitution and statutes of the State, pertaining to public roads; and repeal all laws in conflict with this act in so far as they relate to Coke county,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

MILLER, Chairman.

Committee Room,
Austin, Texas, March 14, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 229, being a bill to be entitled "An Act to amend Chapter 35 of the General Laws of the Twenty-fifth Legislature, said chapter being entitled 'An Act to create a more efficient road system for Raines county, Texas; making provisions for the appointment by the commissioners court of said county of a road commissioner of said county,

prescribing his duties and compensation; providing for the appointment of road overseers, defining their duties and liabilities; providing for the working of county convicts and delinquent poll tax payers upon the public roads of said county, and regulating the same; providing for officers' fees and rewards in convicting convicts and recapturing convicts; for the summoning of teams and tools for road work, and compensation for same; and providing penalties for the violation of this act; and to repeal all laws in conflict with this act,' and providing for county commissioners to act as road commissioners, by changing Section 18 to Section 19, and adding between Sections 17 and 19 Section 18, and by amending Section 11,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

MILLER, Chairman.

Committee Room,
Austin, Texas, March 14, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 249, being a bill to be entitled "An Act to create a more efficient road system for Coryell county, Texas; and making the county commissioners of said county ex-officio road commissioners, and prescribing their duties as such, and providing for their compensation as such road commissioners; prescribing the duties of the road overseers; providing for exclusive use of road funds on public roads; and for ordering an election providing for the payment of a tax by road hands in lieu of working roads; providing for a compensation to be allowed for the use of tools and teams on road; providing for the condemnation of land for public road purposes; providing for the working of delinquent poll tax payers on the public roads, and relieving them of such work by the payment of three dollars; providing for the amount of money to be paid to hands on road; and providing further, making this law cumulative of the General Laws of the State, and in case of a conflict this act to govern as to Coryell county; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

MILLER, Chairman.

Committee Room,
Austin, Texas, March 14, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 64, being a bill to be entitled "An Act to provide a more efficient public road system for the county of Hood,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

MILLER, Chairman.

Committee Room,
Austin, Texas, March 14, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Roads, Bridges and Ferries, to whom was referred

Senate bill No. 266, being a bill to be entitled "An Act to amend Articles 4730 and 4730a, Title XCVII, Chapter 3, of the Revised Statutes of the State of Texas, designating persons liable to work on roads and their rights and duties,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do not pass*.

MILLER, Chairman.

Committee Room,
Austin, Texas, March 14, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Roads, Bridges and Ferries, to whom was referred

Senate bill No. 267, being a bill to be entitled "An Act to amend Article 4717, Title XCVII, Chapter 2, of the Revised Statutes, relating to the appointment of road overseers, and the apportionment of hands by the commissioners court,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

MILLER, Chairman.

Committee Room,
Austin, Texas, March 15, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Internal Improvements, to whom was referred

House bill No. 291, being a bill to be entitled "An Act to authorize the Hous-

ton & Texas Central Railroad Company to purchase, own and operate the railroad of the Central Texas & Northwestern Railway Company, with its franchises and appurtenances; the railroad of the Fort Worth & New Orleans Railway Company, with its franchises and appurtenances; the Lancaster Tap Railroad, with its franchises and appurtenances; the railroad of the Austin & Northwestern Railroad Company, with its franchises and appurtenances, upon certain conditions; and the railroad of the Granite Mountain & Marble Falls City Railroad Company, with its franchises and appurtenances, or either or any of such railroad with its or their franchises and appurtenances; and to authorize the owners of each of said railroads and its or their franchises and appurtenances to sell the same; to authorize said Houston & Texas Central Railroad Company to issue additional mortgage bonds to the amount of the value of the railways, franchises and appurtenances so purchased and to the amount of the value of the railroad hereafter constructed by it under the provisions of this act, as fixed or as the same may be fixed by the Railroad Commission of Texas; and to regulate the reports of such properties and the operations thereof; to provide for the dismissal without prejudice of the pending suit to forfeit the charter of the Austin & Northwestern Railroad Company; and to authorize the Houston & Texas Central Railroad Company to construct, own and operate and maintain, or to amend its articles of incorporation so as to authorize it to construct, own, operate and maintain, a railroad from a connection with the Austin & Northwestern Railroad in Burnet county to the town of Lampasas,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

We further find that the full notice for the passage of this law has been given in compliance with the Constitution and laws of this State. In view of the fact that the said House bill is identical with the Senate bill No. 175, which has already been fully printed and has passed the Senate, we do further state that in our opinion there is no necessity for printing this House bill, and, therefore, do further recommend that this bill be not printed.

POTTER.
ODELL,
WILSON.
NEAL,
GRINNAN.

Committee Room,
Austin, Texas, March 14, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 249, being a bill to be entitled "An Act to restore and confer upon the county court of Angelina county the civil and Criminal jurisdiction heretofore belonging to said court under the Constitution and general statutes of the State of Texas; to define the jurisdiction of said court; to conform the jurisdiction of the district court of said county to such change; to fix the time of holding court; and to repeal all laws and parts of laws in conflict with this act,"

And find the same correctly engrossed.

BEATY, Chairman.

Committee Room,
Austin, Texas, March 14, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 212, being a bill to be entitled "An Act to provide a more efficient public road system for the county of Montgomery,"

And find the same correctly engrossed.

BEATY, Chairman.

Committee Room,
Austin, Texas, March 14, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 213, being a bill to be entitled "An Act to prescribe the time of holding the terms of the district court in the Twenty-fourth Judicial District of Texas, and to regulate the issuance of process in said district,"

And find the same correctly engrossed.

BEATY, Chairman.

Committee Room,
Austin, Texas, March 14, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 155, being a bill to be entitled "An Act to provide for the appointment and qualification of an auditor for each of the counties of Texas, and for his removal therefrom for cause, and

prescribing his powers and duties as such, and fixing a penalty for wilfully making a false or fraudulent report as such, and providing for the compensation of such auditor; and providing further, making this act cumulative of all laws of this State on the subject of county finances, when not in conflict therewith, and in case of conflict this act to control, and declaring an emergency,"

And find the same correctly engrossed.

BEATY, Chairman.

Committee Room,
Austin, Texas, March 15, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Public Lands and Land Office, to whom was referred

Senate bill No. 216, being a bill to be entitled "An Act to repeal Section 4 and to amend Sections 3, 5, 6 and 7 of 'An Act to define the permanent school fund of the State of Texas; to partition the public lands between said fund and the State, and to adjust the account between said fund and said State; to set apart and appropriate to said school fund in part payment of said account the residue of the public domain of said State to which said fund is entitled under Section 2, Article 7, of the Constitution as adopted April the 17, 1876; to appropriate the sum of seventeen thousand, one hundred eighty and twenty-seven one-hundredths dollars to the permanent school fund from the general revenue not otherwise appropriated in full payment of the balance due to said fund by the State of Texas, under the Constitution of 1876; to provide for the survey, purchase and lease of said land and issuance of patents in certain cases; and providing for suit in Travis county against any person claiming any of the lands belonging to the school fund or any other funds,' passed at the First Called Session of the Twenty-sixth Legislature, and approved February 22, 1900,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, with the following amendments:

"Amend Section 5 by inserting between the words 'or to actual settlers' and 'on the same terms' the words 'in the territory west of the 98th meridian of longitude.'

"Amend Section 7 by striking out the fifth and sixth preference rights, and inserting the following: 'Fifth. To all leaseholders of unsurveyed lands to the amount of four sections or less, who were lessees of such lands from the State of Texas on January the 1st, 1900, either

directly or assignee of the original lessee; provided, that in case there is a conflict in leases issued by the State and each lessee and his assignee applies to purchase the same land within the time provided herein, then and in that event, the preference right shall be given to the lessee or his assignee to purchase that portion of said land in his actual possession on January 1, 1900.'"

SEBASTIAN, Chairman.

Committee Room,
Austin, Texas, March 14, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Counties and County Boundaries, to whom was referred

Senate bill No. 248, being a bill to be entitled "An Act to create a more efficient road system for Colorado county; making the county commissioners of said county ex-officio road commissioners; prescribing their duties as such, and providing for their compensation as such road commissioners; providing for the working of county convicts on the public roads of said county; to authorize the commissioners court to enact reasonable rules, regulations and punishment necessary for the government, control and discipline of said convicts, and for effectually securing and utilizing their labor; providing for the payment of costs due officers in misdemeanor convict cases; providing for a commutation of time of convicts as a reward for faithful service and good behavior; providing for reward not to exceed \$10.00 to be offered for the arrest and conviction of escaped county convicts, and taxing such reward and all actual costs necessarily incurred in the recapture and conviction of such convicts against such convicts; making it a penal offense for a county convict to escape from any person having him in charge for the county, and providing for a penalty for such escape; providing for the trimming of hedges by the owners of land adjoining public roads, and providing a penalty for failure to trim such hedges; providing the amount of compensation in road time to be allowed by overseers to road hands for teams, plows, scrapers and wagons; providing for the condemnation of land for public road purposes; providing for the working of delinquent poll tax payers on the public roads; providing for the appointment of road overseers, and defining their powers and duties; and providing for penalties for persons failing to work the roads when warned, and for persons failing to do good work, or to work in the manner

prescribed by the commissioner or road overseer; providing for the summoning of persons with teams, plows, scrapers and wagons to work in connection with the county's regularly organized road gang, or to repair roads in the precinct; providing for the working of convicts either upon the roads or the county farm, or partly on both, in the discretion of the commissioners court; and providing for making such laws cumulative to the General Laws of the State, and in case of conflict the special law is to apply to Colorado county, Texas."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass.

LIPSCOMB, Chairman.

Committee Room,
Austin, Texas, March 19, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on State Affairs, to whom was referred

Senate bill No. 224, being a bill to be entitled "An Act to amend Section 5, of Chapter 11, of the General Laws of the State of Texas, passed at the Special Session of the Twenty-sixth Legislature, and approved February 23, 1900, entitled 'An Act to define the permanent school fund of the State of Texas; to partition the public lands between said fund and the State, and to adjust the account between said fund and the State,' etc.,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass.

ODELL, Chairman.

Committee Room,
Austin, Texas, March 15, 1901.

Hon. J. N. Browning, President of the Senate.

SIRS: Your Committee on Agricultural Affairs, to whom was referred

House bill No. 242, being a bill to be entitled "An Act authorizing owners of land to drain the same in the general course of natural drainage, and exempting them from liability for any damage occasioned by such drainage, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass.

Floor report.

PAULUS, Acting Chairman.

Committee Room,
Austin, Texas, March 12, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Educational Affairs, to whom was referred

House bill No. 143, being a bill to be entitled "An Act to amend Article 3979a, Chapter 13, Title LXXXVI, of the Revised Civil Statutes of the State of Texas, by adding Section 4, providing for the granting of permanent State certificates to certain persons,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

PAULUS, Chairman.

Committee Room,
Austin, Texas, March 19, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Judicial Districts, to whom was referred

House bill No. 142, being a bill to be entitled "An Act to amend an act passed by the Twenty-sixth Legislature of the State of Texas, entitled 'An Act to amend Section 12, of Article 22, Title IV, of the Revised Civil Statutes of the State of Texas, changing the time of holding the district court in Trinity county,' so as to change the time of holding the district court in Leon, Walker and Madison counties, and to repeal all laws and parts of laws in conflict therewith,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*, and that said bill be not printed.

GRINNAN, Acting Chairman.

BILLS AND RESOLUTIONS.

By Senator Goss:

Senate bill No. 268, A bill to be entitled "An Act to provide for adopting a uniform system of text-books for use in the public schools of Texas for the term of five years beginning September 1, 1903, and declaring in what schools said books shall be used."

Read first time, and referred to Committee on Education.

By Senator Beaty:

Senate bill No. 269, A bill to be entitled "An Act to amend Article 3290, Title LXVI, Chapter 1, of the Revised Civil Statutes of 1895 of the State of Texas, relating to judgment liens."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Wheeler:

Senate bill No. 270, A bill to be entitled "An Act to repeal Article 1663, of Chapter 15, Title XXXIII, of the Revised Civil Statutes of the State of Texas, relating to executions from a justice court sent to a county other than that in which the judgment was rendered."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Turner:

Senate bill No. 271, A bill to be entitled "An Act to amend Article 943, of Chapter 3, Title XXVII, of the Revised Civil Statutes, prescribing the action of the Supreme Court upon petitions for a writ of error to that court."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Lipscomb:

Senate bill No. 272, A bill to be entitled "An Act to appropriate \$750 to fence and preserve the San Jacinto battle grounds."

Read first time, and referred to Committee on Finance.

By Senators McGee and Stafford:

Senate bill No. 273, A bill to be entitled "An Act to authorize the Texas, Sabine Valley & Northwestern Railway Company, the Texas & Sabine Valley Railway Company and the Marshall, Timpson & Sabine Pass Railway Company, or either of them, or any two of them, to sell their railroads, together with all their property, franchises and rights incident or appertaining thereto, to any railroad corporation to be chartered for the purpose of building and constructing a railroad from either the terminus of the Texas & Sabine Valley Railway, at Boren, in Panola county, Texas, through the counties of Panola, Shelby, San Augustine, Jasper, Orange and Jefferson, in Texas, to some point in Texas to the Gulf of Mexico or from the terminus of the Marshall, Timpson & Sabine Pass Railroad, at Timpson, Shelby county, Texas, through the counties of Shelby, San Augustine, Jasper, Orange and Jefferson, in Texas, to some point in Texas on the Gulf of Mexico, and from the terminus of the Texas, Sabine Valley & Northwestern Railway, at Longview, in Gregg county, Texas, through the counties of Gregg, Upshur, Camp, Wood, Franklin, Hopkins, Delta and Lamar, in Texas, to some point on the line between Texas and the Indian Territory; and to authorize the new company to purchase the railroads, property, rights and franchises of either one, two or all of said railroad companies, the purchasing company to assume all the obligations of the selling companies except their bonded in-

debtedness; and to prescribe the conditions and terms of the sale; and to authorize the selling companies to execute all necessary contracts, agreements and conveyances to accomplish the purchase and sale; and to allow the purchasing company to build and construct branch lines to its line of railway by amendments to its charter in accordance with law."

Read first time, and referred to Committee on Internal Improvements.

By Senators Savage, Neal and Davidson of DeWitt:

Senate bill No. 274, A bill to be entitled "An Act to provide for the establishment of courses of study, embracing instruction in the industrial arts, in the Sam Houston Normal Institute, and to make appropriations therefor."

Read first time, and referred to Committee on Education.

By Senator Neal:

Senate bill No. 275, A bill to be entitled "An Act to amend Chapter 159 of the General Laws of Texas, relating to the appropriation of one hundred thousand (100,000) dollars to pay to the officers and men of the Texas Volunteers prior to the inmustering into the service of the United States in the late war with Spain; to pay those who were rejected; to pay for the necessary supplies, subsistence and transportation prior to their being mustered into service; to authorize the Governor to collect from the United States all monies expended under this act, extending the time for filing claims under said act and making an appropriation for payment of said claim."

Read first time, and referred to Committee on Finance.

By Senator Dibrell:

Senate bill No. 276, A bill to be entitled "An Act to dedicate the west half of Block 124 in the city of Austin as a site for the establishment of a public library for the people of the State, and to constitute the city of Austin a trustee to erect thereon a library building and to supply, maintain and control such public library."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Patterson:

Senate bill No. 277, A bill to be entitled "An Act to amend Article 19, Title I, Chapter 1, of the Code of Criminal Procedure of the State of Texas, and to repeal all laws and parts of laws in conflict with the provisions of this act."

Read first time, and referred to Judiciary Committee No. 2.

EXCUSED.

On motion of Senator Neal, Senator Swann was excused from attendance upon the Senate today on account of important business.

FIRST HOUSE MESSAGE.

The following first House message was delivered to the Senate:

Hall of the House of Representatives,
Austin, Texas, March 19, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: I am directed by the House to inform the Senate that the House has passed the following resolutions:

House Concurrent Resolution No. 24, Inviting the President of the United States to visit the city of Austin.

House Concurrent Resolution No. 22, Memorializing the Congress of the United States to submit a constitutional amendment providing for the election of United States Senators by popular vote.

Respectfully,

LEE J. ROUNTREE,

Chief Clerk House of Representatives.

The Chair (President Pro Tem. Miller) here declared the morning call concluded.

HOUSE CONCURRENT RESOLUTION NO. 24—ON SECOND READING.

The Chair (President Pro Tem. Miller) laid before the Senate, on its second reading, House Concurrent Resolution No. 24, reported in the above House message.

House Concurrent Resolution No. 24:

Be it resolved by the House of Representatives, the Senate concurring, That we extend an invitation to his Excellency, the President, Wm. McKinley, to visit the city of Austin during his contemplated tour of the Western States, and that the Chief Clerk be instructed to forward a copy of this resolution to his Excellency, the said President McKinley.

Senator Sebastian offered the following amendment:

"Amend by inserting the words 'the Secretary of the Senate and the' before the words 'Chief Clerk,' and the words 'of the House of Representatives' after the words 'Chief Clerk.'"

Amendment was read, and adopted.

The resolution as amended was then read second time, and adopted.

HOUSE CONCURRENT RESOLUTION NO. 19—TABLED.

The Chair (President Pro Tem. Miller) laid before the Senate the following House Concurrent Resolution No. 19:

Be it resolved by the House of Representatives, the Senate concurring, That the Secretary of State be and he is hereby instructed to publish in connection with the General Laws of the Twenty-seventh Legislature the name of the author of each of said laws.

The resolution was read, and

Senator Patterson moved that it be laid on the table.

Motion to table prevailed.

IN THE SENATE.

The Chair (President Pro Tem. Miller) had read House Concurrent Resolution No. 22 (see foregoing first House message for caption), and referred the same to Committee on State Affairs.

HOUSE BILL NO. 309—ON SECOND READING.

On motion of Senator Turner, the pending business (Senate bill No. 161) was suspended and the Senate took up, out of its order,

House bill No. 309, A bill to be entitled "An Act to ascertain and adjudicate, by suit against or by the State, certain claims against or in favor of the State, for land lying between the Nueces and Rio Grande rivers; to adjust and settle the rights of the State and the owners or claimants thereof, respectively, of such lands, and if found valid to confirm, as against the State, the right and title of such claimants or owners, and patent the same, or the recovery thereof by the State."

The Chair (President Pro Tem. Miller) laid the bill before the Senate, on its second reading.

Bill was read second time, and, on motion of Senator Turner, postponed until 11 o'clock a. m. Friday, March 22nd, and made a special order for that hour.

SENATE BILL NO. 152—ON SECOND READING.

On motion of Senator Davidson of Galveston, the pending business (Senate bill No. 161) was suspended, and the Senate took up, out of its order,

Senate bill No. 152, A bill to be entitled "An Act to aid the city of Galveston in elevating and raising said city so as to protect it from calamitous overflows, by donating and granting to it the State ad valorem, occupation and poll taxes collected upon property and from persons in

said city for a period of fifteen years, and to provide a penalty for their misapplication."

The Chair (President Pro Tem. Miller) laid the bill before the Senate, on its second reading, with the following pending committee substitute:

A BILL

TO BE ENTITLED

An Act to aid the city of Galveston in elevating and raising said city so as to protect it from calamitous overflows, by donating and granting to it the State ad valorem and a part of the occupation and poll taxes collected on property and from persons in said city for a period of fifteen years, and to provide a penalty for their misapplication.

Whereas, The city of Galveston was, on the 8th day of September, A. D. 1900, devastated by a storm and calamitous overflow, whereby thousands of lives were lost, and property of the value of many millions of dollars was destroyed, which caused and constitutes a great public calamity; and,

Whereas, The agricultural, commercial, manufacturing, mining and stock-raising interests of the State of Texas and of the States and Territories, a large portion of the commerce of which seeks the high seas through the port of Galveston, require the speedy protection of said city and port, and with a view of the State of Texas aiding in protecting said city and the inhabitants thereof from calamitous overflows, therefore,

Be it enacted by the Legislature of the State of Texas:

Section 1. That, for a period of fifteen years, commencing with the fiscal year beginning September 1, 1901, there be and hereby are donated and granted, by the State of Texas, to the city of Galveston the net amounts of money collected from the following State taxes:

First. The State ad valorem taxes collected upon property and from persons, in the corporate limits of the city of Galveston.

Second. The State ad valorem taxes collected from railroad companies upon property situated in the county of Galveston, including rolling stock, which shall be ascertained and apportioned as now provided by law.

Third. Three-fourths of all moneys collected from State occupation taxes received from persons, firms, companies or association of persons doing business in the city of Galveston.

Fourth. All State poll taxes collected from persons in the city of Galveston, ex-

cept that belonging to the public school fund.

Sec. 2. The assessor of taxes for the county of Galveston shall assess all property and persons within the corporate limits of the city of Galveston, separate from those in other portions of said county, and shall make and keep the assessment rolls for said city separate and distinct from the assessment rolls for the remainder of Galveston county.

Sec. 3. The Comptroller shall keep separate accounts of all taxes collected within the corporate limits of the city of Galveston, and also from that portion of Galveston county outside of the corporate limits of said city of Galveston.

Sec. 4. At the end of each month the collector of taxes for Galveston county shall, on forms to be furnished by the Comptroller of Public Accounts, make an itemized report, under oath, to said Comptroller, showing each and every item of State ad valorem, occupation and poll taxes collected by him, as provided for in the two foregoing sections, upon property and from persons within the city of Galveston, and accompany the same with a summarized statement, showing full disposition of all such State taxes collected; said collector shall present such report, together with the tax receipt stubs, authorized by law to be kept, to the county clerk of Galveston county, who shall, within two days, compare said report with the said stubs, and if the same agree in every particular, as regards names, dates and amounts, he (the clerk) shall certify to its correctness, for which examination and certificate he shall be paid by the commissioners court twenty-five cents for each certificate, and twenty-five cents for each two hundred tax-payers on said report. The said collector shall then, immediately, forward his reports, so certified, to the Comptroller, and shall pay over to the city treasurer of the city of Galveston all monies collected by him during said month, under the provisions of this act, except such amounts as are allowed by law for assessing and collecting the same, and shall forward a duplicate copy of the receipt given to him by the treasurer of the city of Galveston for such monies to the Comptroller.

Sec. 5. The treasurer of the corporation of the city of Galveston shall, at the end of each month, make an itemized report, under oath, to the Comptroller of Public Accounts, showing the amount of money received by him from the collector of taxes for Galveston county, and what disbursements, if any, have been made during said month of said monies.

Sec. 6. The municipal authorities of

the city of Galveston shall, on the first of January of each year, cause to be made an itemized statement, under oath, and in duplicate, showing the amount of money received by the city of Galveston under the provisions of this act, and how the same has been expended. One copy of such statement shall be forwarded to the Governor of this State and the other to the Comptroller of Public Accounts.

Sec. 7. The monies herein and hereby granted and donated to the city of Galveston are declared to be a trust fund for the purpose of aiding the city of Galveston in paying the interest and sinking fund upon an issue or issues of bonds, the proceeds of which bonds are to be used exclusively for the elevation and raising of the streets, avenues, alleys, sidewalks and lots in said city above calamitous overflows, and for securing and protecting such filling. The use or diversion of such moneys for any other purpose whatsoever is hereby prohibited. A violation of the provisions of this section shall constitute a misapplication of public money, and the person or persons so offending shall be punished as provided for in Article 96 of the Penal Code of Texas.

COMMITTEE REPORT.

(By unanimous consent.)

Committee Room,
Austin, Texas, March 19, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Internal Improvements, to whom was referred

Senate bill No. 273, being a bill to be entitled "An Act to authorize the Texas, Sabine Valley & Northwestern Railway Company, the Texas & Sabine Valley Railway Company, and the Marshall, Timpson & Sabine Pass Railway Company, or either of them, or any two of them, to sell their railroads, together with all their property, franchises and rights incident or appertaining thereto, to any railroad corporation to be chartered for the purpose of building and constructing a railroad from either the terminus of the Texas & Sabine Valley Railway, at Boren, in Panola county, Texas, through the counties of Panola, Shelby, San Augustine, Jasper, Orange and Jefferson, in Texas, to some point in Texas to the Gulf of Mexico, or from the terminus of the Marshall, Timpson & Sabine Pass Railroad, at Timpson, Shelby county, Texas, through the counties of Shelby, San Augustine, Jasper, Orange and Jefferson, in Texas, to some point in Texas on the Gulf of Mexico, and from

the terminus of the Texas, Sabine Valley & Northwestern Railway, at Longview, in Gregg county, Texas, through the counties of Gregg, Upshur, Camp, Wood, Franklin, Hopkins, Delta and Lamar, in Texas, to some point on the line between Texas and the Indian Territory; and to authorize the new company to purchase the railroads, property, rights and franchises of either one, two or all of said railroad companies, the purchasing company to assume all the obligations of the selling companies except their bonded indebtedness; and to prescribe the conditions and terms of the sale; and to authorize the selling companies to execute all necessary contracts, agreements and conveyances to accomplish the purchase and sale; and to allow the purchasing company to build and construct branch lines to its line of railway by amendments to its charter in accordance with law."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

Floor report.

GRINNAN, Acting Chairman.

RECESS.

Pending further consideration of Senate bill No. 152 and pending committee substitute,

Senator Turney moved that the Senate recess until 3 o'clock p. m.

Senator Savage moved that the Senate recess until 2:30 p. m.

Action recurring on the longest time first the same prevailed, and, accordingly, the Senate, at 12:30 o'clock p. m., recessed until 3 o'clock p. m.

AFTER RECESS.

After recess the Senate resumed consideration of Senate bill No. 152, action being on the committee substitute, and Senator Davidson of Galveston in arguing the constitutionality of the bill concluded with the following remarks, which were ordered printed in the Journal:

"Mr. President:

"Would that I had the power of language to describe the night of September the eighth.

"I lived through it and heard the roar of that tempest.

"From the window of my own home I looked out upon the fury of those waves breaking over housetops and sweeping all before them.

"A strange pale light shone from the heavens.

"I did not know, or realize, then, that

it was the pathway of light for many souls to that far distant shore.

"Morning came at last.

"It was the Sabbath.

"The great church bells accustomed to ring out the summons for service were silent.

"No sound broke the solemn stillness, only the ceaseless throb of the clear, blue waters of the Gulf.

"In the gray dawn we struggled into the streets and gazed aghast into each others faces and clasped each others hand.

"Where once stood the happy home there was nothing left to mark the spot. Parent, child and friend had gone to where the Sabbath has no end.

"God grant that I shall never again witness such a scene as that tropical sun burst upon—a city of the dead, streets strewn with the bodies of loved ones. The living with a noble self-forgetfulness, stifling their own wild emotions, seeking to calm those in despair.

"Amid the cedars on the beach stood the orphans' home of the Sisters of Charity.

"The world has heard the pathetic story of these blessed women who consecrated their lives to their church.

"Upon the wreck-strewn shore they were found; lashed to them were the bodies of the children; and, in death, their hands still clasped the cross.

"And the burial? Shall I touch upon that tragic scene? Not as when one is borne by weeping friends and laid gently and peacefully beneath flowers. No priest pronounced the burial service.

"From the timbers their funeral pyres were kindled. The smoke alone shrouded them, and around the sacred ashes there rose a grander and more determined people.

"I am proud to be their representative today in such a cause and to present to this honorable body their right to protection under the Constitution of this State, of which I believe there is no doubt.

"There is another law greater and higher than this that governs us—the Unwritten Law of Humanity.

"The people of this island plead for protection—protection for life and home—and to Texas, her own great State—great in history, great in men, and great in deeds of generosity.

"Gentlemen of the Senate, let them not plead in vain."

The committee substitute was read, and adopted, and

Senator Staples offered the following amendment:

"Amend on page 4, in line 29, by strik-

ing out the word 'fifteen' and insert in lieu thereof the word 'two.'"

The amendment was read, and

Senator Savage offered the following substitute for the amendment:

"Strike out in the caption and bill wherever they occur the words 'fifteen years' and insert the words 'two years.'"

SIMPLE RESOLUTION.

Pending action on the foregoing amendment offered by Senator Staples and the substitute by Senator Savage,

Senator Sebastian offered the following simple resolution:

Be it resolved that the Sergeant-at-Arms be instructed to order 500 extra copies of today's Senate Journal for the use of the Senate.

Resolution was read second time, and adopted.

SENATE BILL NO. 142—HOUSE AMENDMENT CONCURRED IN.

Senator Dibrell called up from the table

Senate bill No. 142, A bill to be entitled "An Act to provide for the organization, control, management and active operation of the Southwest Texas Normal School, located at San Marcos, Hays county, Texas; the control and improvement of the grounds belonging to the same; the erection of the necessary buildings for said school; furniture for the same; water, lighting and heating of said buildings, and appropriating money for those purposes,"

For the purpose of considering House amendment thereto.

The Chair (President Pro Tem. Miller) then laid the bill before the Senate, with the following House amendment:

"Amend Section 5, page 3, by adding after the word 'board,' in line 5, the following: 'Provided, that this money shall not be drawn unless the Governor in his discretion thinks the condition of the treasury will permit the use of the money for the purposes of this act.'"

House amendment was read, and the Senate concurred therein.

SENATE BILL NO. 152—ACTION ON PENDING SUBSTITUTE.

Action recurring on the substitute offered by Senator Savage for the amendment offered by Senator Staples,

Senator Davidson of Galveston moved to table both substitute and amendment.

Motion to table prevailed by the following vote:

Yeas—18.

Beaty.	Patterson.
Davidson of	Paulus.
Galveston.	Sebastian.
Dibrell.	Stafford.
Goss.	Turner.
Grinnan.	Turney.
Johnson.	Wayland.
Lipscomb.	Wilson.
Miller.	Yett.
Neal.	

Nays—6.

Davidson of	Savage.
DeWitt.	Staples.
McGee.	Wheeler.
Odell.	

Absent.

Hanger.	James.
Harris of Bexar.	Lloyd.
Harris of Hunt.	Potter.

Absent—Excused.

Swann.

The bill, having been read second time, was then ordered engrossed by the following vote:

Yeas—16.

Beaty.	Paulus.
Davidson of	Sebastian.
Galveston.	Stafford.
Dibrell.	Turner.
Goss.	Turney.
Johnson.	Wayland.
Lipscomb.	Wilson.
Miller.	Yett.
Neal.	

Nays—7.

Davidson of	Odell.
DeWitt.	Savage.
Grinnan.	Staples.
McGee.	Wheeler.

Absent.

Hanger.	Lloyd.
Harris of Bexar.	Patterson.
Harris of Hunt.	Potter.
James.	

Absent—Excused.

Swann.

HOUSE BILL NO. 291—ON SECOND READING.

On motion of Senator Davidson of DeWitt, the pending business (Senate bill No. 161) was suspended and the Senate took up, out of its order,

House bill No. 291, A bill to be entitled "An Act to authorize the Houston & Texas Central Railroad Company to purchase, own and operate the railroad of the Central Texas & Northwestern Railway Company, with its franchises and appurtenances; the railroad of the Fort Worth & New Orleans Railway Company, with its franchises and appurte-

nances; the Lancaster Tap Railroad, with its franchises and appurtenances; the railroad of the Austin & Northwestern Railroad Company, with its franchises and appurtenances, upon certain conditions; and the railroad of the Granite Mountain & Marble Falls City Railroad Company, with its franchises and appurtenances; or either or any of such railroads, with its or their franchises and appurtenances; and to authorize the owners of each of said railroads and its or their franchises and appurtenances to sell the same; to authorize said Houston & Texas Central Railroad Company to issue additional mortgage bonds to the amount of the value of the railways, franchises and appurtenances so purchased, and to the amount of the value of the railroad hereafter constructed by it under the provisions of this act as fixed or as the same may be fixed by the Railroad Commission of Texas, and to regulate the reports of such properties and the operations thereof; to provide for the dismissal without prejudice of the pending suit to forfeit the charter of the Austin & Northwestern Railroad Company; and to authorize the Houston & Texas Central Railroad Company to construct, own, operate and maintain, or to amend its articles of incorporation so as to authorize it to construct, own, operate and maintain a railroad from a connection with the Austin & Northwestern Railroad in Burnet county to the town of Lampasas."

(Reported this day by committee.)

HOUSE BILL NO. 291—SENATE RULE SUSPENDED.

Senator Davidson of DeWitt moved that the Senate rule requiring committee reports to lay over for one day be suspended for the purpose of considering House bill No. 291, on its second reading.

The rule was suspended, and the Chair (President Pro Tem. Miller) laid the bill before the Senate, on its second reading.

Bill was read second time, and

Senator Davidson of DeWitt offered the following amendment:

"Amend Section 3 of the bill by striking out the following words on page 6, lines 6, 7, 8 and 9 of House engrossed bill, to wit: 'And to the further amount of the value of the railroad, which may be hereafter constructed by it to the town of Lampasas, as provided for in this act,' and insert in lieu thereof the following, to wit: 'And to the further amount of the value of any railroad or railroads which it may hereafter construct under

the provisions of this act or under amendments of its charter or articles of incorporation.'"

Amendment was read, and adopted, and the bill passed to a third reading.

On motion of Senator Davidson of DeWitt, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—22.

Beaty.	Odell.
Davidson of	Patterson.
DeWitt.	Paulus.
Davidson of	Savage.
Galveston.	Sebastian.
Dibrell.	Stafford.
Goss.	Staples.
Grinnan.	Turner.
Lipscomb.	Turney.
McGee.	Wayland.
Miller.	Wilson.
Neal.	Yett.

Absent.

Hanger.	Johnson.
Harris of Bexar.	Lloyd.
Harris of Hunt.	Potter.
James.	Wheeler.

Absent—Excused.

Swann.

Bill was read third time, and passed.

Senator Davidson of DeWitt moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

Motion to table prevailed.

SENATE BILL NO. 242—ON SECOND READING.

On motion of Senator Goss, the pending business (Senate bill No. 161) was suspended and the Senate took up, out of its order,

Senate bill No. 242, A bill to be entitled "An Act relating to the sale and lease of public free school and asylum lands, and to repeal all laws and parts of laws in conflict herewith."

The Chair (President Pro Tem. Miller) laid the bill before the Senate, on its second reading, with the following committee amendments:

1st amendment. "Amend by striking out all that part of Section 1 which imposes a penalty upon the Commissioner of the General Land Office for failure to furnish the county clerks of the State with a list of the unsold lands in their respective counties."

2nd amendment. "Amend Section 3 by striking out all after the words 'southwest corner of Cochran county' down to and including the words 'southwest corner of La Salle county,' and inserting the

following: "Thence east to the northeast corner of Lynn county, thence south to the southeast corner of Lynn county, thence west to the northwest corner of Borden county, thence south to the southwest corner of Howard county, thence west to the northwest corner of Glasscock county, thence south to the southwest corner of Glasscock county, thence east to the southeast corner of Glasscock county, thence south to the southwest corner of Irion county, thence east to the northeast corner of Schleicher county, thence south to the southwest corner of Menard county, thence east to the southeast corner of Menard county, thence south to the northwest corner of Mason county, thence east to the northwest corner of Gillespie county, thence south to the southwest corner of Gillespie county, thence east to the northwest corner of Kendall county, thence south to Bandera county, thence southeast along the line of Bandera county to Bexar county, thence along the line between Bandera and Bexar counties and the line between Bandera and Medina counties to the northwest corner of Medina county, thence south to the southwest corner of Medina county, thence east to the northeast corner of Frio county, thence south to the southeast corner of Frio county, thence east to the northeast corner of McMullen county, thence south to the southeast corner of McMullen county."

3rd amendment. "Strike out Section 4 and insert in lieu thereof the following:

"Any person entitled under the law to purchase school and asylum lands, and who has heretofore leased or may hereafter lease any such lands, or the assignee of such lessee, shall have the right at any time to purchase any or all sections of lands so leased by him on which there are improvements of a permanent nature of the reasonable market value of five hundred dollars, on the same terms as other purchasers of land of like character, except said improvements shall not be estimated in valuing the land and said purchaser shall not be required to reside upon and improve said land, and said sections so purchased by him need not be situated within a radius of five miles of each other, and in addition to each section on which he has five hundred dollars worth of improvements, he may buy another section on the same terms, and in addition to each section on which he has one thousand dollars worth of improvements he may buy two sections on the same terms; provided, that not exceeding four sections shall be sold to the same purchaser, and the sections on which there are no improvements

must be within five miles of the improved section.

"Any such lessee, or his assignee, who is holding under lease any of said lands at the time this act takes effect in any of the counties situated south and west of the lease line established by the Act of 1897, and north and east of the absolute lease line established by this act, shall have for ninety days from and after this act takes effect a preference right to purchase any of his leased lands on which there are improvements of a permanent nature of the reasonable market value of five hundred dollars, on the terms and conditions specified in this section."

4th amendment. "Amend by adding after the words 'purchase made during said time,' in Section 3, the words 'and the party purchasing under this provision any of said lands situated west of the absolute lease line, if within the enclosure of another, shall be required to fence it with such fence as will prevent the passage of his stock before he is permitted to turn loose any stock thereon; and any violation of this provision shall subject the party to a fine of one dollar for each head of stock so turned loose and each thirty days' violation shall constitute a separate offense.'"

5th amendment. "Amend Section 3 by inserting before the words 'any land situated in the absolute lease district' the words 'unless otherwise provided herein.'"

SENATE BILL NO. 242—MADE SPECIAL ORDER FOR MARCH 21.

Pending further action on Senate bill No. 242, the same was, on motion of Senator Goss, made a special order for Thursday, March 21st, after the morning call.

SENATE BILL NO. 252—ON SECOND READING.

On motion of Senator Dibrell, the pending business (Senate bill No. 161) was suspended and the Senate took up, out of its order,

Senate bill No. 252, A bill to be entitled "An Act to amend Article 483a, of Chapter 4, Title XVIII, of the Revised Civil Statutes of the State of Texas, 1895, relating to the power of city councils of a town or city having less than three thousand inhabitants to dispense with the office of marshal."

The Chair (President Pro Tem. Miller) laid the bill before the Senate, on its second reading.

Bill was read second time, and ordered engrossed.

On motion of Senator Dibrell, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Beaty.	Neal.
Davidson of	Odell.
DeWitt.	Paulus.
Davidson of	Savage.
Galveston.	Sebastian.
Dibrell.	Stafford.
Goss.	Staples.
Grinnan.	Turner.
James.	Turney.
Johnson.	Wayland.
Lipscomb.	Wheeler.
McGee.	Wilson.
Miller.	Yett.

Absent.

Hanger.	Lloyd.
Harris of Bexar.	Patterson.
Harris of Hunt.	Potter.

Absent—Excused.

Swann.

Bill was read third time, and passed by the following vote:

Yeas—24.

Beaty.	Neal.
Davidson of	Odell.
DeWitt.	Paulus.
Davidson of	Savage.
Galveston.	Sebastian.
Dibrell.	Stafford.
Goss.	Staples.
Grinnan.	Turner.
James.	Turney.
Johnson.	Wayland.
Lipscomb.	Wheeler.
McGee.	Wilson.
Miller.	Yett.

Absent.

Hanger.	Lloyd.
Harris of Bexar.	Patterson.
Harris of Hunt.	Potter.

Absent—Excused.

Swann.

Senator Dibrell moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

Motion to table prevailed.

SENATE BILL NO. 184—ON THIRD READING.

On motion of Senator Beaty, the pending business was suspended and the Senate took up, out of its order,

Senate bill No. 184, A bill to be entitled "An Act to authorize the Gulf, Beaumont & Kansas City Railway Company to purchase, own and operate the

railroad, including all the property, property rights, franchises and appurtenances of the Gulf, Beaumont & Great Northern Railway Company, now existing or that may hereafter be built or acquired by the Gulf, Beaumont & Great Northern Railway Company; and to authorize the Gulf, Beaumont & Kansas City Railway Company, in the name of the Gulf, Beaumont & Great Northern Railway Company, to issue bonds and to secure the same by mortgage upon the railway property, property rights and franchises of the Gulf, Beaumont & Great Northern Railway Company, under orders of the Railroad Commission of Texas; and to enable the said corporation, the Gulf, Beaumont & Great Northern Railway Company, to construct its proposed line of railway as provided in its charter, and for said purpose to raise money through the issuance of stock and bonds, under the direction of the Railroad Commission; or to authorize the Gulf, Beaumont & Kansas City Railway Company to lease the railroad and all other property of the Gulf, Beaumont & Great Northern Railway Company; and to provide for exchange of bonds of the Gulf, Beaumont & Kansas City Railway Company for bonds of the Gulf, Beaumont & Great Northern Railway Company."

The Chair (President Pro Tem. Miller) laid the bill before the Senate, on its third reading.

Bill was read third time, and passed by the following vote:

Yeas—23.

Beaty.	Neal.
Davidson of	Odell.
DeWitt.	Paulus.
Davidson of	Savage.
Galveston.	Sebastian.
Dibrell.	Stafford.
Goss.	Staples.
Grinnan.	Turner.
James.	Turney.
Johnson.	Wayland.
Lipscomb.	Wilson.
McGee.	Yett.
Miller.	

Present—Not voting.

Wheeler.

Absent.

Hanger.	Lloyd.
Harris of Bexar.	Patterson.
Harris of Hunt.	Potter.

Absent—Excused.

Swann.

Senator Beaty moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

Motion to table prevailed.

SENATE BILL NO. 148—ON THIRD
READING.

On motion of Senator Turner, the pending business (Senate bill No. 161) was suspended and the Senate took up, out of its order,

Senate bill No. 148, A bill to be entitled "An Act to amend Article 5364, Title CXI, of the Revised Civil Statutes of 1895, relating to the 'wool growing interests' of the State, so as to exclude the counties of Aransas and Calhoun from the counties exempted from the operations of said title, and to repeal all laws in conflict herewith, and providing an emergency."

The Chair (President Pro Tem. Miller) then laid the bill before the Senate, on its third reading.

Bill was read third time and passed.

Senator Turner moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

Motion to table prevailed.

HOUSE BILL NO. 147—ON SECOND
READING.

On motion of Senator Wilson, the pending business (Senate bill No. 161) was suspended and the Senate took up, out of its order,

House bill No. 147, A bill to be entitled "An Act to amend an act entitled 'An Act to amend Article 2313, Chapter 4, Title XL, of the Revised Civil Statutes of the State of Texas, 1895, relating to the introduction of certain abstracts of title as evidence,' passed by the Twenty-fifth Legislature, being Chapter 108 of the General Laws of the Regular Session thereof."

The Chair (President Pro Tem. Miller) then laid the bill before the Senate, on its second reading.

Bill was read second time, and

Senator Wilson offered the following amendment:

"Amend by striking out the word 'endorsement,' in line 16, page 3, of printed bill, and inserting in lieu thereof the word 'instrument.'"

Amendment was read and adopted, and

Senator Wilson offered the following amendment:

"Amend by inserting the word 'by' in lieu of 'that,' after the word 'made,' in line 15, page 3, of printed bill."

Amendment was read, and adopted.

Pending further consideration of the bill, the same, on motion of Senator Wilson, was laid on the table subject to call.

SENATE BILL NO. 196—ON THIRD
READING.

On motion of Senator Paulus, the pending business (Senate bill No. 161) was suspended and the Senate took up, out of its order,

Senate bill No. 196, A bill to be entitled "An Act to fix the fees of county judges for approving the bonds of liquor dealers."

The Chair (President Pro Tem. Miller) then laid the bill before the Senate, on its third reading.

Bill was read third time, and passed.

SENATE BILL NO. 136—ON SECOND
READING.

On motion of Senator Lipscomb, the pending business (Senate bill No. 161) was suspended and the Senate took up, out of its order,

Senate bill No. 136, A bill to be entitled "An Act to provide for the extension of the corporate limits of any town or village incorporated for free school purposes only."

The Chair (President Pro Tem. Miller) then laid the bill before the Senate, on its second reading.

Bill was read second time, and

Senator Lipscomb offered the following amendment:

"Amend Section 2 by adding to line 14, after the word 'promoted,' the words 'an imperative public necessity.'"

Amendment was read, and adopted.

Bill was then ordered engrossed, and

On motion of Senator Lipscomb, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Beaty.	Paulus.
Davidson of	Savage.
DeWitt.	Sebastian.
Davidson of	Stafford.
Galveston.	Staples.
James.	Turner.
Johnson.	Turney.
Lipscomb.	Wayland.
McGee.	Wheeler.
Miller.	Wilson.
Neal.	Yett.
Odell.	

Absent.

Dibrell.	Harris of Hunt.
Goss.	Lloyd.
Grinnan.	Patterson.
Hanger.	Potter.
Harris of Bexar.	

Absent—Excused.

Swann.

Bill was read third time, and passed by the following vote:

Yeas—21.

Beaty.	Paulus.
Davidson of	Savage.
DeWitt.	Sebastian.
Davidson of	Stafford.
Galveston.	Staples.
James.	Turner.
Johnson.	Turney.
Lipscomb.	Wayland.
McGee.	Wheeler.
Miller.	Wilson.
Neal.	Yett.
Odell.	

Absent.

Dibrell.	Harris of Hunt.
Goss.	Lloyd.
Grinnan.	Patterson.
Hanger.	Potter.
Harris of Bexar.	

Absent—Excused.

Swann.

Senator Lipscomb moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

Motion to table prevailed.

COMMITTEE REPORT.

(By unanimous consent.)

Committee Room,

Austin, Texas, March 19, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Mining and Irrigation, to whom was referred

House bill No. 135, being a bill to be entitled "An Act to provide for a mineral survey of the State of Texas, and to make an appropriation therefor,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, with the following amendments:

"Amend by striking out House amendments and inserting the following:

"First. Amend by striking out the word 'transferred,' in Section 6, and inserting the word 'loaned,' and by inserting after the word 'board,' in said section, the words 'until such time as the State may desire to otherwise use them.'"

"Second. Amend Section 3 by adding the following: 'But the information obtained by a survey of the public school, University, asylum or State lands shall not be communicated by said board or by the person or persons making said survey to any person whomsoever until said information is published for the benefit of the general public, and any one violating this provision shall, upon conviction,

be fined in any sum not to exceed one thousand dollars, or by imprisonment not to exceed two years in jail.'

"Third. Amend by inserting between the words 'survey of' and 'the State,' in Section 1, the words 'all the lands belonging to the public schools, University, the asylums or of.'

"Amend the caption so as to read as follows:

"An Act to provide for a mineral survey of the lands belonging to the public schools, University and asylums or of the State, and to make an appropriation therefor, and to provide a penalty for unlawfully disclosing information obtained by such survey; and to loan and authorize the removal to the University of the geological and scientific equipments, collections, specimens and publications now in charge of the Commissioner of Agriculture, Insurance, Statistics and History, and also declaring an emergency.'

"Amend the bill as follows: Strike out Section 2 and insert in lieu thereof the following: 'Said board shall employ for that purpose persons skilled and who have had at least five years' experience in the science of mineralogy, geology and chemistry, who shall conduct said survey under the direction of said board.'"

GRINNAN, Chairman.

ADJOURNMENT.

On motion of Senator Turney, the Senate, at 5:15 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

FORTY-THIRD DAY.

Senate Chamber,

Austin, Tex., Wednesday, March 20, 1901.

Senate met pursuant to adjournment.

President Pro Tem. Miller in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Present—27.

Beaty.	Miller.
Davidson of	Neal.
DeWitt.	Patterson.
Davidson of	Paulus.
Galveston.	Savage.
Dibrell.	Sebastian.
Goss.	Stafford.
Grinnan.	Staples.
Hanger.	Turner.
Harris of Hunt.	Turney.
James.	Wayland.
Johnson.	Wheeler.
Lipscomb.	Wilson.
Lloyd.	Yett.
McGee.	